IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.6235 of 2008
PANCHA YADAV @ PANCHANAND YADAV
Versus
STATE OF BIHAR
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2 **01.05.2008** Heard learned counsel for the petitioner and the learned counsel for the State.

Petitioner is an accused for offences punishable under Section 429 of the Indian Penal Code as well as Section 33 of the Indian Forest Act and also Sections 11,50,51,55 of the Wild Life (Protection) Act.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and has been arrested by the police on mere suspicion as there is no eye witness to the alleged incident of shooting a bear. Although allegation is that one Binod Murmu had identified the petitioner, but the said Binod Murmu has sworn an affidavit denying to have made such statement which is made Annexure-2 to this petition. Learned counsel for the petitioner further submits that he is in custody since 09.09.2007 without any fault.

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In the aforesaid facts and circumstances, this petition is allowed. Let petitioner namely Pancha Yadav @ Panchanand Yadav be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Laxmipur P.S. Case No. 115 of 2007.

Vikash/- **(S.N. Hussain, J.)**